

Transcript of the Testimony of

**YVANIA GARCIA-PUSATERI, PH.D.**

May 26, 2022

Henderson vs School District of Springfield R-12

6:12-cv-03219-MDH



Alpha Reporting & Video  
1911 S. National Ave., Suite 405  
Springfield, MO 65804  
Phone: 417-887-4110

transcripts@alphareportingservice.com  
www.alphareportingservice.com

Exh. G

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

Q. Okay. Tell us about your education.

A. I graduated from Azusa Pacific University in  
southern California with a bachelor's degree in  
communication studies with an emphasis in

1 journalism. I have a master's degree in college  
2 counseling and student development from Azusa  
3 Pacific University. And I have a Ph.D. in  
4 educational leadership from Miami University of  
5 Ohio.

6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

1 little over three years. And then I started my role  
2 as chief equity and diversity officer in the  
3 District.

4 Q. (By Mr. Boucek) And that was what year?

5 A. And that was the year of 2019.

6 Q. What are your job duties?

7 A. My job duties is to supervise my team, work with the  
8 superintendent and her cabinet as well as executive  
9 leadership team to oversee initiatives and programs  
10 focused on equity and diversity, supporting the  
11 District when it comes to, you know, academics, HR  
12 curriculum, learning, and really provide a  
13 perspective on what it means to create initiatives  
14 that are going to be equitable for all students.

15

16

17

18

19

20

21

22

23

24

25

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

Q. Is that one of the slide decks that were used for training?

MR. BOUCEK: Jeff, if you want to put it up on the TV, go ahead.

A. To my recollection, this particular slide deck, I believe, was used during the first three sites that were trained.

Q. (By Mr. Boucek) Okay. Do you know which sites those were?

A. I believe, to my recollection, that it is Boyd, Bissett, and Bingham.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

Q. (By Mr. Boucek) Okay. I think you already answered this. In the fall of 2020 were you responsible for the equity and diversity department?

A. Yes.

Q. All employees there?

A. Yes.

Q. Does that include the programming of the equity and diversity department?

A. Yes. Overseeing the programming, yes.

Q. And what is the Equity and Diversity Advisory

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

Q. Now, we referenced Focus Area V earlier. What is  
Goal 1?

1 A. Goal 1 addresses training in professional learning.

2 Q. For what?

3 A. For the District. Focus on the expiration of  
4 identity and self.

5 Q. I'm sorry? Say that again.

6 A. It's focus on -- it's focus on training and  
7 professional development, but around the areas of  
8 identity and self -- exploration of identity and  
9 self.

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

Q. Okay. Why did the Board of Education adopt this?

A. Because they believed in the work of equity and  
diversity and felt that this goal and its strategies  
would address that work.

Q. Why is training in the identity and the exploration of self?

A. Because that's the training that we were going to create was going to hit on understanding identity, understanding self, and how it can better the efficiencies of our teachers and staff and leaders so that they can create more equitable working and

A. Because it's important for us to understand ourselves. Understand that all of us have identity, all of us have experiences. And once we do that, it helps us better create more safety and support in the classroom; therefore, having a stronger academic outcome.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

Q. And did that in turn lead to the District's equity training including fall of 2020?

A. I believe that it was just a continuation of the district-wide equity training that happened in the fall of 2019.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

Q. Isn't the point of the fall equity training to understand the role of race and how it may play out in current society?

A. No. It's to understand various barriers that the fall 2020 district-wide equity training -- the process of it or the reason behind it was to address

1 and understand barriers that students and staff may  
2 encounter in systems like this and to understand how  
3 barriers impact systems.

4  
5  
6  
7  
8  
9  
10  
11  
12 A. The 2020 district-wide equity training was to  
13 understand how barriers impact students and staff in  
14 systems like education and what are some tools on  
15 how staff can address that and understand it and  
16 create more equitable environments for students.

1  
2  
3  
4  
5 A. The training -- the 2020 district-wide equity  
6 training, the role of it was to address barriers  
7 that impact our students and staff.  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

1  
2  
3  
4  
5  
6  
7 A. To my understanding, at that time, 2019, the  
8 District wanted to engage in equity work. And the  
9 best way to start engaging in that work is to start  
10 doing professional learning around the topics so  
11 that all staff had an understanding of what equity  
12 is and how it might have positive impacts in the  
13 classroom and in the workplace.  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

Q. So is equity a means to an end or is equity an end?  
It can be both? I'm just asking you. Are you also  
saying that is a goal in and of itself or that it's  
a means to achieve a particular outcome? That's my  
question.

A. I believe it's a value the District has committed  
to. And they see that equity not only supports  
students in the classroom, they feel safe.

Q. Yeah.

A. Which means they have attendance. That means they  
have better academics. That means that they have  
lower discipline rates. That equity was going to be  
something they wanted to do for students to make  
them feel safe and, therefore, have better academic  
outcomes.



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

A. I would say there's been no formalized manner in defining it. But the way that we define it as a department and the way that we work with equity is to ensure that we are meeting the unique needs of students and staff to ensure that they're finding their way to success.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

Q. Were there agree and disagree signs?

A. Agree or disagree signs? No.

1  
2  
3  
4  
5  
6 Q. And one of the terms that's used in the training,  
7 was it underrepresented and underresourced?

8 A. Yes. Those were the terms that the District was  
9 already using before I started at the District.  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

Q. Goal, Slide 5, second paragraph underrepresented or facing difficult issues. My question to you, are those difficult issues the ones you outlined previously?

A. Yes. Based on the data the District has, so graduation data, discipline data, attendance data.

Q. And it's everyone's responsibility at SPS to address those shortfalls; right?

A. Yes. To look at the data and to see where the barriers are for our students and then figure out ways how we can create better practices that have more equitable outcomes.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

Q. And is being silent when you're called upon  
professional?

A. I think it's -- I think people -- if they say "I  
don't feel comfortable answering at this moment" or

1 "I cannot answer," that is completely fine.

2 Q. What if they just look at you and say "I'm not going  
3 to answer that question. I disagree"?

4 A. I mean, then that for me, that's about -- okay,  
5 then. I'm not going to force an answer out of you.  
6 Then I'm going to move forward with people who want  
7 to engage.

8 Q. So silence was acceptable?

9 A. You know, I think silence -- I wish people would --  
10 would want to contribute or engage, but I'm not  
11 going to force them.

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

A. I think for some, it takes time for them to internally process. So some people might have just said, you know -- again, like, engagement is going to look different. Our hope was that some people would be able to talk about what was talked about in the groups if they felt comfortable to do so.

1 Q. Do you recall her bringing up Kyle Rittenhouse and  
2 how he might have been defending himself?

3 A. I don't recall that, no.

4 Q. So you're not in a position to dispute it if she  
5 says that she brought up Kyle Rittenhouse?

6 A. I can't remember what she said.

7 Q. You're not in a position to dispute it if she says  
8 that you told her she was wrong?

9 A. I'm not in a position to because I don't recall that  
10 interaction.

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

Q. Do you recall any conversation about whether or not

1 parents were oppressors of their children?

2 A. I don't recall saying.

3 Q. You don't recall it or you dispute it?

4 A. No. I'll dispute it. I didn't say that.

5 Q. Did you talk about parents being oppressive in any  
6 sense of the word?

7 A. No. I did not say that.

8 Q. You're saying that definitively?

9 A. Yeah. I didn't say that.

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

Q. Did the topic of socialism come up at all at  
Ms. Henderson's session?

A. I don't recall that either.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11 A. I don't recall saying that. This is for adults  
12 learning, their own development, broadening their  
13 perspectives so they can find ways on how they can  
14 better identify the barriers in a system that is  
15 impacting students.  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

Q. So the concept you're teaching would actually be inappropriate for a teacher to teach in a classroom?

A. These concepts are not made for children or students.

Q. So it would be inappropriate for a teacher to teach them in a classroom?

A. In the way that it's being presented here, it's not made for students.